

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MONIQUE M. PHILLIPS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner
of Social Security,

Defendant.

Case No. C13-2108-TSZ

**ORDER REVERSING AND
REMANDING**

The Court, after careful consideration the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find and **ORDER:**

(1) The Court adopts the Report and Recommendation.

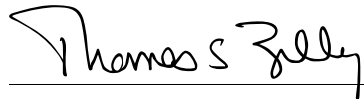
(2) The Commissioner's decision is **REVERSED** and this case is **REMANDED** for an award of a closed period of benefits and for further administrative proceedings thereafter.

(3) On remand, the ALJ shall find that Ms. Phillips was disabled under listing 5.05A for the closed period of one year from the date of her last documented blood transfusion, determine the date of the last documented transfusion, and evaluate her residual impairments as of one year from that date. The ALJ shall award benefits for the period Ms. Phillips met the listing. The ALJ shall then redo the *Bustamante* analysis with respect to the time after that

1 closed period, to determine if Ms. Phillips would still be disabled if she stopped using drugs or
2 alcohol. As part of this analysis, the ALJ shall reevaluate the opinions of Dr. Kenderdine, Dr.
3 Ruddell, Dr. Lewy and Dr. Gentile, and the evidence from Ms. Phillips's treatment providers at
4 Valley Cities Counseling, and shall reevaluate Ms. Phillips's credibility. The ALJ shall develop
5 the record as needed.

6 The Clerk shall send copies of this Order to the parties and to Judge Tsuchida.

7 DATED this 30th day of August, 2014.

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10 THOMAS S. ZILLY
11 United States District Judge
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